

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

THE UNITED STATES OF AMERICA,

vs.

CASE NO. 3:99-CR-0206-02 (JAF)

ANGEL QUIÑONES-HERNANDEZ,

\*\*\*\*\*

MOTION REQUESTING AN ISSUANCE OF A WARRANT

TO THE HONORABLE JOSE A. FUSTE  
U.S. DISTRICT JUDGE  
DISTRICT OF PUERTO RICO:

COMES NOW, Luis O. Encarnación, U.S. Probation Officer of this Honorable Court, presenting an official report upon the conduct and attitude of supervisee, Angel Quiñones-Hernández who on January 18, 2000, was sentenced to thirty (30) months of imprisonment after he pled guilty of violating Title 21 U.S.C. § 841 (a)(1) and 18 U.S.C. § 2. A four year supervised release term was also imposed. On September 11, 2003, the term of supervised release was revoked after Mr. Quiñones admitted guilt to violation of conditions of supervised release to include failure to abstain from any unlawful use of a controlled substance, failure to comply with the conditions of home detention and failure to answer truthfully all inquiries by the probation officer. An imprisonment term of nine months and twenty-four months of supervised release was imposed. The search and seizure condition was included. Since his release, Mr. Quiñones has incurred in the following violations:

**1. VIOLATION OF SUPERVISED RELEASE CONDITION - “The defendant shall refrain from any unlawful use of a controlled substance.”**

On June 10, 2005, the offender tested positive to cocaine. He signed a form accepting the use of drugs the day before. In addition, in several occasions Mr. Quiñones has failed to report to the office for a drug test. These “stalls” are considered administrative positives to the use of drugs.

**2. VIOLATION OF SUPERVISED RELEASE CONDITION No. 3 - “The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.”**

The offender has failed to follow instructions of the probation officer to include failure to report to the office and to provide his new address.

**3.VIOLATION OF SUPERVISED RELEASE CONDITION No. 6 - “The defendant shall notify the probation officer at least ten days prior to any change in residence or employment.”**

The offender has failed to report a change in address as required.

**4. VIOLATION OF SUPERVISED RELEASE CONDITION No. 11 - “The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.”**

Mr. Quiñones was arrested on April 21, 2005, by the Puerto Rico Police, Drug Division San Juan. Up to this date, the offender has failed to report such arrest. No charges were filed against the defendant.

**WHEREFORE**, I declare under penalty of perjury that the foregoing is true and correct. Unless ruled otherwise, it is respectfully requested that the Court order the issuance of a warrant so that the offender may be brought before this Honorable Court to show cause why his supervised released term should not be revoked. Thereupon, that he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 14<sup>th</sup> day of June 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF  
U.S. PROBATION OFFICER

s/Luis O. Encarnación  
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on June 14, 2005, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which send notification of such filing to the following: Assistant U.S. Attorney Rose Vega and to Assistant Federal Public Defendant Carlos Vázquez, Esq.,.

In San Juan, Puerto Rico, June 14, 2005.

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